

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

Tammy Hutchens,) Case No.: _____
) (Formerly Case No: 2021CP4200526)
)
 Plaintiff,)
)
 v.)
)
)
 Defendants.)

NOTICE OF REMOVAL

Keith Coleman, Roehl Transport, Inc.,)

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TO: THE UNITED STATES DISTRICT COURT

Defendants, Keith Coleman and Roehl Transport, Inc. would respectfully show the Court in support of its Notice of Removal that:

1. The Summons and Complaint in this action were filed on February 17, 2021 in the Court of Common Pleas for Spartanburg County, South Carolina. Attached for the Court are copies of Plaintiff's Summons and Complaint. The Complaint is the first pleading served upon the Defendants in this action and service was accepted on February 18, 2021. Therefore, removal is timely under 28 U.S.C. §1446(b).

2. The United States District Court has jurisdiction over this action pursuant to 28 U.S.C. §1332. The Plaintiff is a resident of the State of South Carolina; Defendant Keith Coleman is a resident of the State of New Jersey; and Defendant Roehl Transport is a Wisconsin corporation which has its principal place of business in Wisconsin. This action has been brought by the Plaintiff against the Defendants for an alleged accident which occurred in Spartanburg County, South Carolina.

3. Venue is proper in this matter in the Spartanburg Division of this Court in accordance with 28 U.S.C. §1441(a).

4. Upon information and belief, the amount in controversy in this matter exceeds \$75,000.00 as Plaintiff allegedly suffered pain and suffering, mental anguish, impairment of health and physical condition, loss of enjoyment of life, lost wages, medical expenses, which, according to Paragraph 16 of the Plaintiff's complaint (attached hereto as Exhibit A) amounts to "a sum equal to or greater than \$100,000.00."

5. Defendants have filed no pleadings in this action with the Court of Common Pleas for the State of South Carolina in response to this Complaint; however, Defendants' Answer to the Plaintiff's Complaint is filed herewith contemporaneously.

6. Defendants have furnished a copy of this Notice of Removal to the Clerk of Court for Spartanburg County.

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.

s/ Mark S. Barrow

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March 16, 2021